



**SOUTH CAROLINA  
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**NPDES GENERAL PERMIT**

**for**

**HYDROSTATIC TEST WATER DISCHARGES**

**This permit authorizes hydrostatic test water discharges to waters of the State of South Carolina in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I through X hereof. This permit is issued in accordance with the provisions of the Pollution Control Act (S. C. Code Sections 48-1-10 *et seq.*, 1976) and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 *et seq.*, the "CWA."**

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**Director, Industrial, Agricultural, and Stormwater Permitting Division  
Bureau of Water**

**Issued: January 8, 2001**

**Expires: February 28, 2006**

**Effective: March 1, 2001**

**Permit No.: SCG670000**

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## **PREFACE**

The CWA provides that discharges from a point source including discharges through a municipal separate storm sewer system to waters of the United States are unlawful, unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit.

### **Part I. DEFINITIONS**

"Arithmetic Mean" for any set of values means the summation of the individual values divided by the number of individual values.

"Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Composite Sample" means one of the following four types of composite samples as defined and specified within this permit:

- (1) An influent or effluent portion collected continuously over a specified period of time at a rate proportional to the flow.
- (2) A combination of not less than 8 influent or effluent grab samples collected at regular (equal) intervals over a specified period of time, properly preserved (see part IV.G), and composited by increasing the volume of each aliquot in proportion to flow. If continuous flow measurement is not used to composite in proportion to flow, the following method will be used: Take an instantaneous flow measurement each time a grab sample is collected. At the end of the sampling period, sum the instantaneous flow measurements to obtain a total flow to determine the partial amount (percentage) of each grab sample to be combined to obtain the composite sample.
- (3) A combination of not less than 8 influent or effluent grab samples of equal volume but at variable time intervals that are inversely proportional to the volume of the flow. That is, the time interval between aliquots is reduced as the volume of flow increases.
- (4) A combination of not less than 8 influent or effluent grab samples of constant (equal) volume collected at regular (equal) time intervals over a specified period of time, while being properly preserved.

Continuous flow or the sum of instantaneous flows measured and averaged for the specified compositing time shall be used with composite sample results to calculate quantity.

"CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

"Daily maximum" means the highest average value recorded of samples collected on any single day during the calendar month.

"Department" means the South Carolina Department of Health and Environmental Control or an authorized representative.

"Director" means the EPA Regional Administrator or an authorized representative.

"DMR" means a Discharge Monitoring Report.

"Emergency" means any situation arising from sudden and unforeseeable events beyond the control of the permittee, including acts of God, which requires immediate maintenance, repair, or other corrective action to return service to the customers of the permittee.

"EPA" means the United States Environmental Protection Agency.

"Grab Sample" means an individual discrete or single influent or effluent portion of at least 100 milliliters collected at a time representative of the discharge and over a period not exceeding 15 minutes and retained separately for analysis. Where a number of grab samples are to form a composite, instantaneous flow measured at the time of grab sample collection shall be used to calculate quantity.

"Hydrostatic Water" means water used for the temporary testing of pipelines or tanks for leakage and/or structural integrity (*syn.* Hydrostatic Test Water)

"Monthly average", other than for fecal coliform, means the arithmetic mean of all samples collected in a calendar month. The monthly average for fecal coliform bacteria is the geometric mean of all samples collected in a calendar month. The monthly average loading is the arithmetic average of all individual loading determinations made during the month.

"NOI" means notice of intent to discharge hydrostatic test water. The initial NOI submitted by an entity is also a request to be covered by this general permit (see Part III of this permit).

"NOT" means notice of termination (See Part VII of this permit).

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or vessel or

other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Project" means any group of one or more discharges which will occur from one or more separate outfall locations due to the hydrostatic testing of one or more interrelated components.

"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

"Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"TPH" means Total Petroleum Hydrocarbons

"TRC" means Total Residual Chlorine

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with the numeric effluent limitations of Part X of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Used" means tanks and pipelines which have previously transported product unless sandblasted and/or cleaned to remove all residues from within.

"Waters of South Carolina" means all waters of the United States within the political boundaries of the State of South Carolina.

"Waters of the United States" means:

- (a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) All interstate waters, including interstate "wetlands";

- (c) All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, wet meadows, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
- (d) All impoundments of waters otherwise defined as waters of South Carolina under this definition;
- (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
- (f) The territorial sea; and
- (g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of South Carolina. This exclusion applies only to manmade bodies of water which neither were originally created in waters of South Carolina (such as disposal areas in wetlands) nor resulted from the impoundment of waters of South Carolina.

"10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable recurrence interval of once in 10 years.

## **Part II. COVERAGE UNDER THIS PERMIT**

A. **Permit Area.** The permit covers all areas of South Carolina.

B. **Eligibility.**

- 1. This permit may cover all new and existing point source discharges to waters of South Carolina, as identified in this section below, except for discharges identified under Part II.B.3. This permit authorizes discharge of the following types of wastewater as further specified in this permit:
  - a. Hydrostatic test waters from new and used natural gas and new liquified petroleum gas (LPG) pipelines.



- b. Hydrostatic test waters from used LPG pipelines and from new petroleum tanks and pipelines.
  - c. Hydrostatic test waters from used petroleum tanks and pipelines.
2. This permit may authorize hydrostatic water discharges that are mixed with other discharges provided that the other discharges are in compliance with the terms, including applicable NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.
3. The following hydrostatic water discharges are not authorized by this permit:
- a. hydrostatic water discharges that are mixed with sources of non-hydrostatic water other than non-hydrostatic water discharges that are in compliance with a different NPDES permit.
  - b. hydrostatic water (or a combination of hydrostatic water and process water) discharges which are subject to an existing effluent limitation guideline addressing hydrostatic water;
  - c. hydrostatic water discharges that are subject to an existing NPDES individual or general permit; are located at a facility where an NPDES permit has been terminated or denied; or which are issued a permit in accordance with Part V.L (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires or is cancelled;
  - d. hydrostatic water discharges that the Department has determined to be or which may reasonably be expected to be contributing to a violation of a water quality standard; and
  - e. hydrostatic water discharges that would adversely effect a listed endangered or threatened species or its critical habitat.

C. **Authorization.**

1. Hydrostatic water discharges from new and used natural gas and LPG pipelines and new petroleum tanks and pipelines that discharge *3000 gallons or less* are covered under this permit, but the NOI, monitoring, reporting, record keeping, and other such requirements do not apply to these discharges. This Department does not include these small discharges for administrative reasons. This does not exclude these discharges from having to meet the permit limitations of Part X. Used petroleum tank and pipeline test waters must abide by all permit requirements for all wastewater volumes.
2. Entities who plan to discharge hydrostatic water must submit a Notice of Intent (NOI), except as noted above, in accordance with the requirements of Part III of this

permit, to be covered under this general permit. A transmittal letter requesting coverage under this permit shall be included with the initial NOI submitted by an entity. Only one permit is required by an entity no matter how many hydrostatic test water discharges are to be conducted.

3. The Department will send the permittee a letter indicating that the permittee has or has not been granted coverage under this permit. If coverage is granted, this letter will also include a copy of each type of DMR form used for this permit. The appropriate DMR form shall be used by the permittee to submit monitoring data.
4. Once coverage under this permit has been granted by the Department, a discharge from hydrostatic testing is authorized based on the terms and conditions of this permit beginning on the date of receipt of a letter from this Department which indicates that the hydrostatic test water project has been approved. Note that the NOI approval letter is a separate letter from the letter that grants coverage under this permit. An NOI form shall be submitted to the Department prior to **each** hydrostatic test water discharge.
5. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

D. **Continuation of the Expired General Permit**

This permit expires on the date stated on the first page of the permit. However, an expired general permit continues in force and effect until a new general permit is issued. Coverage under this permit continues in force and effect only if the conditions in Part II.E below are satisfied.

E. **Duty to Reapply**

1. Permittees must submit a letter to this Department at least 180 days prior to the permit expiration date (unless an extension has been granted) to remain covered under the continued permit after expiration. This letter shall:
  - a. Request continued coverage under this general permit;
  - b. Indicate that the company or entity is still eligible for coverage for the hydrostatic testing activities which they will perform; and
  - c. Indicate that the Owner Information submitted in previous NOIs is still correct or indicate any changes that are required to update this information.
2. Permittees who submit NOIs less than 9 months from permit expiration and obtain coverage during that time are automatically considered covered under the continued permit after expiration.

3. A letter submitted in accordance with E.1 above or an NOI submitted in accordance with E.2 above will be used to determine coverage under the new General Permit when this permit is reissued. The Department may, at the time of permit reissuance, require additional information to be submitted based on changes in the reissued general permit.

### **Part III. NOTICE OF INTENT REQUIREMENTS**

A. **Contents of Notice of Intent.** The Notice of Intent (NOI) shall be signed in accordance with Part V.F of this permit and shall include the following information:

1. Name, mailing address, and phone number of the owner of the equipment that is to be tested and for which the NOI is submitted;
2. The name and title of the responsible person who has signature authority as described in Part V.F;
3. The name and title of the person to whom all permitting correspondence from the Department must be sent;
4. The operator's name, address, telephone number, and status as Federal, State, private, public or other entity;
5. Name, mailing address, and phone number of the site or project contact person for the equipment to be tested and for which the NOI is submitted;
6. Up to four 4-digit Standard Industrial Classification (SIC) codes and the names that best represent the principal products or activities provided by the facility;
7. The permit number of additional National Pollution Discharge Elimination System (NPDES) permits for any discharges (including non-hydrostatic test water discharges) from the site that are currently, or have been previously, authorized by an NPDES permit;
8. Indication of whether or not the facility has previously been issued an individual NPDES discharge permit. If so, indicate the facility permit number (example: SC0000000);
9. Indication of whether this NOI is for a first time general permit coverage and the initial hydrostatic test water discharge or a subsequent hydrostatic test water discharge. If for a subsequent hydrostatic test water discharge, list the applicable general permit number for your company (example: SCG670004);
10. The type of structure to be tested;
11. Whether the structure is new or existing;

12. The volume of water to be discharged;
13. The source of the test water;
14. The expect date(s) of testing and discharge;
15. The location of the proposed discharge on a topographic map, the county in which the discharge will occur and a physical description of nearby roads, landmarks, etc.;
16. Latitude and longitude (to seconds);
17. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the receiving water(s) for the discharge through the municipal separate storm sewer;
18. Description of any treatment that may be performed prior to discharge and what type;
19. List any expected toxic and/or hazardous pollutants and the reason for their presence;
20. A brief description of hydrostatic test water discharge erosion and other pollution control measures which may be taken on a project;
21. Confirmation that reasonable efforts have been or will be made to notify any landowners possibly affected by wastewater conveyances due to this project; and
22. Title, date, and signature of the responsible person.

**B. Deadlines for Notification.**

1. Except as provided in Part II.C.1. (less than 3000 gallons), each operator of a facility which requires coverage under this permit shall submit an NOI in accordance with the requirements of Part III.A **at least 30 days prior to the intended date of commencement of the discharge.**

Submission of an NOI less than 30 days prior to the intended date of hydrostatic testing may be allowed under emergency situations (see Part I - Definitions). Under these situations, notification/approval shall be attempted in the following order:

- a. Obtaining written (or faxed or e-mailed) approval from this Department,
  - b. Obtaining verbal approval in-person or by telephone,
  - c. Notification by telephone to the emergency response hotline (**803-253-6488**) prior to discharge followed by a written/faxed notification including an explanation of the emergency situation at the nearest possible opportunity (this option should only be done after hours).
2. An operator of a hydrostatic water discharge is not excluded from submitting an NOI

in accordance with the requirements of this part after the effective date of this permit.

- C. **Where to Submit.** Facilities which discharge hydrostatic water must use the appropriate NOI form provided by the Department (or photocopy thereof). Forms are also available by calling **(803) 898-4300** or download from the Department's web site at [www.scdhec.net/water](http://www.scdhec.net/water). NOI's must be signed in accordance with Part V.F (Signatory Requirements) of this permit. NOI's are to be submitted to the Department at the following address:

SC Dept. of Health and Environmental Control  
NPDES/ND Permit Administration  
Hydrostatic Test Water Notice of Intent  
2600 Bull Street  
Columbia, SC 29201

as well as the local EQC district office in the county of the discharge:

**APPALACHIA I**

Tommy Rogers, Director  
2404 N. Main Street  
Anderson, SC 29621  
Phone:864-260-5569 Fax:864-260-4855  
(Anderson, Oconee)

**LOWER SAVANNAH**

Myra Reece, Director  
206 Beaufort Street, NE  
Aiken, SC 29801  
Phone:803-641-7670 Fax:803-641-7675  
(Aiken, Orangeburg, Barnwell,  
Bamberg, Allendale, Calhoun)

**APPALACHIA II**

Doug Johns, Director  
301 University Ridge, Suite 5800  
Greenville, SC 29601  
Phone:864-241-1090 Fax:864-241-1092  
(Greenville, Pickens)

**PEE DEE**

Marion Rembert, Director  
145 E. Cheves Street  
Florence, SC 29506  
Phone:843-661-4825 Fax:843-661-4858  
(Florence, Dillon, Marion,  
Marlboro, Darlington, Chesterfield)

**APPALACHIA III**

Barney Harmon, Director  
975-C N. Church Street  
Spartanburg, SC 29303  
Phone:864-596-3800 Fax:864-596-2136  
(Spartanburg, Cherokee, Union)

**TRIDENT**

Wayne Fanning, Director  
1362 McMillian Ave., Suite 300  
Charleston, SC 29405  
Phone:843-740-1590 Fax:843-740-1595  
(Charleston, Berkeley, Dorchester)

**CATAWBA**

Al Williams, Director

**UPPER SAVANNAH**

Bob Jackson, Director

P.O. Box 100  
Fort Lawn, SC 29714  
Phone:803-285-7461 Fax:803-285-5594  
(Lancaster, Chester, York)

613 South Main St.  
Greenwood, SC 29646  
Phone:864-223-0333 Fax:864-223-6935  
(Greenwood, Abbeville, Laurens,  
Saluda, Edgefield, McCormick)

CENTRAL MIDLANDS

Lewis Bedenbaugh, Director  
Bldg #5/PO Box 156  
State Park, SC 29147  
Phone:803-896-0620 Fax:803-896-0617  
(Richland, Lexington, Newberry,  
Fairfield)

WACCAMAW

Ron Tata, Director  
1705 Oak St. Plaza/Suite #2  
Myrtle Beach, SC 29577  
Phone:843-448-1902 Fax:843-946-9390  
(Horry, Georgetown, Williamsburg)

LOW COUNTRY

Russell Berry, Director  
1313 Thirteenth Street  
Port Royal, S. C. 29935  
Phone:843-522-9097 Fax:843-522-8463  
(Beaufort, Jasper, Colleton,  
Hampton)

WATEREE

Ronny Rentz, Director  
105 Magnolia St.  
Sumter, SC 29151  
Phone:803-778-1531 Fax:803-773-6366  
(Sumter, Kershaw, Lee, Clarendon)

- D. **Individual Applications.** Any applicant that has previously filed an individual application and has not received an NPDES permit can receive coverage under this general permit. To do so a letter may be sent to the Department requesting coverage in lieu of an individual permit.
- E. **Transfer of Ownership or Control.** This general permit is not transferrable. The new owner/operator shall submit an NOI in accordance with Part II.C at least 30 days in advance of the proposed transfer of ownership/control. Upon notification of coverage to the new permittee, the existing permittee may request termination by submission of a Notice of Termination in accordance with Part VII of this permit.
- F. **Public Notice.** Facilities which plan to discharge hydrostatic test water of 15,000 gallons or more at a single location *must post at least three weather resistant copies of the Public Notice* of the intended discharge near the outfall (within 10 miles) and in separate locations. At least one of the three shall be located at the nearest publicly accessible location to the discharge point. The location all notices shall be publicly accessible and in prominent locations (i.e. a nearby post office, a property entrance gate, a nearby highway intersection, beside a local public road). They shall be posted at the time the discharge begins and must remain posted during the entire period of the discharge. All notices shall contain the following information and may be the same for all discharges of a project:
1. a. Project description including the equipment being tested
  - b. Dates of discharge for each outfall
  - c. Volume of water being discharged at each outfall
  - d. Project location(s) (county and description, such as nearby roadways)

- e. Receiving water(s)
  - f. A 7.5' topographic map indicating the location of the outfall(s)
- 2.
- a. Owner's name
  - b. Owner's mailing address
  - c. Name of site/project contact person
  - d. Telephone number of site/project contact person.

A copy of the notice must be sent to this Department (see Part IV.E.) along with certification by the pipeline operator that it has been posted as required above and be postmarked no later than 30 days after project completion.

#### **Part IV. MONITORING AND REPORTING REQUIREMENTS**

- A. **Facilities Required to Monitor.** Facilities covered by this permit, except those facilities that are exempt per Part II.C.1 from the monitoring requirements, are required to conduct sampling of their hydrostatic water discharges. These measurements shall be taken: (1) After approximately 5% of the test water has been released and (2) After approximately 95% of the test water has been released. *Only one measurement per discharge will be required for discharges from pipelines of less than 0.05 MG and tanks of less than 0.5 MG.* These discharges will require one sample to be taken at 5% as listed above.
- B. **Representative Sampling.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- C. **Discharge Flow Measurement.** The permittee shall maintain at the permitted facility during the discharge, and at the nearest corporate headquarters afterwards, a record of the method(s) used in "estimating" the discharge flow (e.g., pump curves, production charts, water use records, etc.). The flow shall be controlled in a manner that prevents flooding, erosion, or excessive sediment into the nearby waters of the State (See Part V, Section W for additional erosion requirements). Records of any necessary calibrations must also be kept. This information shall be made available for on-site review by Department personnel during the discharge period. The flow shall not be calculated by dividing the total volume by the entire discharge time. This does not allow flow control during the discharge.
- D. **Test Procedures.** Test procedures for the analysis of pollutants shall conform to regulations published pursuant to State Environmental Laboratory Certification Regulation 61-81 and Section 304(h) of the Act, as amended. (Federal Register, October 16, 1973; Title 40, Chapter I, Subchapter D, Part 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants." Amended by Federal Register, December 1, 1976, and any other amendments that may be promulgated).
- E. **Reporting**
1. The permittee must submit monitoring results obtained during each project period on

the appropriate Discharge Monitoring Report (DMR) Forms postmarked no later than 30 days after project completion. A separate Discharge Monitoring Report Form is required for each outfall of each project.

2. Signed copies of required discharge monitoring reports, public notices, and all other reports required herein shall be submitted to the Department at the following address:

SC Dept. of Health and Environmental Control  
Bureau of Water/Water Pollution Enforcement Section  
2600 Bull Street  
Columbia, SC 29201

- F. **Additional Monitoring by the Permittee.** If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified herein, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Additional or accelerated monitoring may be required on subsequent projects to determine the nature and impact on the environment of a non-compliant discharger or to determine if a single non-complying sample is representative of the long term condition (average of several projects' results).

- G. **Retention of Records.**

1. The permittee shall retain the BMP plan developed in accordance with this permit until at least three years after coverage under this permit, or any reissuance of this permit, terminates (See Part IX, Section C.1 for exemptions).
2. Permittees are required to retain for a three-year period from the date of sample collection or for the term of this permit, whichever is greater, records of all monitoring information collected during the term of this permit. Permittees must submit such records to the Department upon the request of the Department.

- H. **Procedures for Monitoring.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 and S.C. Environmental Laboratory Certification Regulation 61-81, unless other test procedures have been specified in this permit.

- I. **Records Content.** Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The initials or name(s) of the individual(s) who performed the sampling or measurements;
3. The date(s) analyses were performed;
4. The time(s) analyses were initiated;



5. The initials or name(s) of the individual(s) who performed the analyses;
  6. References and written procedures, when available, for the analytical techniques or methods used; and
  7. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.
- J. **Availability of Reports.** Except for data determined to be confidential under Section 48-1-270 of the S.C. Pollution Control Act, all reports prepared in accordance with the terms and conditions of this permit shall be available upon request for public inspection at the offices of the Department. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 48-1-340 of the S.C. Pollution Control Act.

## **Part V. STANDARD PERMIT CONDITIONS**

### **A. Duty to Comply.**

1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and the S.C. Pollution Control Act and is grounds for enforcement action, for permit coverage termination, or for denial of a coverage-renewal application.
2. **Penalties for Violations of Permit Conditions.**
  - a. Any person who violates a term or condition contained within this permit is subject to the actions defined by Sections 48-1-320 and 48-1-330 of the S.C. Pollution Control Act.
  - b. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for non-compliance.
  - c. It is the responsibility of the permittee to meet the effluent limitations of this permit. The approval of plans and specifications for any wastewater facilities by the Department does not relieve the permittee of responsibility for compliance.

### **B. Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

### **C. Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

- D. **Duty to Provide Information.** The permittee shall furnish to the Department, within a time specified by the Department, any information which the Department may request to determine compliance with this permit. The permittee shall also furnish to the Department upon request copies of records required to be kept by this permit.
- E. **Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Department, he or she shall promptly submit such facts or information.
- F. **Signatory Requirements.** All Notices of Intent, Best Management Practices plans, reports, certifications or information either submitted to the Department, or that this permit requires be maintained by the permittee, shall be signed.
1. All Notices of Intent shall be signed as follows:
    - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
    - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
    - c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
  2. All reports required by the permit and other information requested by the Department shall be signed by *a person described above or by a duly authorized representative* of that person. A person is a duly authorized representative only if:
    - a. The authorization is made in writing by a person described above and submitted to the Department.
    - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for

environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

- c. Changes to authorization. If an authorization under Part V.F.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.F.2 must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- G. **False Statements, Representations or Certifications; Falsifying, Tampering with, or Rendering Inaccurate Monitoring Devices or Methods.** Section 48-1-340 of the S.C. Pollution Control Act provides that any person who knowingly makes any false statement, representation, or certification in an application, record, report, plan or other document filed or required to be maintained under this permit or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained by this permit, shall be subject to the civil or criminal provisions of Sections 48-1-320 and 48-1-330 of the S.C. Pollution Control Act.
- H. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the CWA, Section 106 of CERCLA, the S.C. Pollution Control Act, or applicable provisions of the S.C. Hazardous Waste Management Act and the S.C. Oil and Gas Act.
- I. **Changes in Discharges of Toxic Pollutants or Hazardous Substances**
  - 1. The permittee shall notify the Department as soon as he knows or has reason to believe
    - a. That any activity has occurred or will occur which would result in any discharge on a routine or frequent basis of any toxic pollutant not limited in the

permit, if that discharge will exceed the highest of the following notification levels:

- 1 mg/l for antimony (Sb);
- 0.500 mg/l for 2,4-dinitrophenol or 2-methyl, -4,6-dinitrophenol;
- 0.200 mg/l for acrolein or acrylonitrile;
- 0.100 mg/l for any other toxic pollutant; or,
- Five (5) times the maximum concentration value reported for a pollutant in the permit application.

b. That any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of any toxic pollutant not limited in the permit, if that discharge will exceed the highest of the following notification levels:

- 1 mg/l for antimony (Sb);
- 0.500 mg/l for any other toxic pollutant; or,
- Ten (10) times the maximum concentration value reported for a pollutant in the permit application.

c. Any hazardous substance(s) identified under Section 311 of the CWA as determined by Federal Regulation 40 CFR 117 has been discharged.

2. The permittee must notify the Department as soon as it knows or has reason to believe that it has begun or expects to begin to use or manufacture as an intermediate or final product or by-product any toxic pollutant or hazardous substance which was not reported in the permit application.

J. **Property Rights.** Coverage under this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

K. **Onshore and Offshore Construction.** Coverage under this permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

L. **Requiring an Individual Permit or an Alternative General Permit.**

1. The Department may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit.

Any interested person may petition the Department to take action under this paragraph. The Department may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the address shown in Part III.C (Where to Submit) of this permit. The Department may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Department, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.

2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (Form 1 and Form 2C, 2D, or 2E, as appropriate) with reasons supporting the request to the Department. Individual permit applications shall be submitted to the address in Part III.C of this permit. The request may be granted by the issuance of an individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.
3. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Department.

M. **State/Environmental Laws.**

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the CWA.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

N. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and

maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of Best Management Practices plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

- O. **Inspection and Entry.** The permittee shall allow the Director or an authorized representative of EPA or the Department, upon the presentation of credentials and other documents as may be required by law, to:
1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
  2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
  3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).
- P. **Permit Actions**
1. The permittee shall furnish to the Department within a reasonable time any relevant information which the Department may request to determine whether cause exists for revoking coverage and reissuing another permit or terminating the certificate of coverage under the general permit, or to determine compliance with the general permit.
  2. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Q. **Change in Discharge.** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any project changes which will result in a new or different discharge of pollutants must be reported by submission of a new NOI or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department of such changes.
- R. **Areawide Water Quality Management Plan Conformance.** All discharges given coverage under this permit are in compliance with the appropriate Areawide Water Quality Management Plan prepared pursuant to Section 208 of the CWA.
- S. **Bypassing.** Any intentional diversion from or bypass of waste streams from any portion of

wastewater collection or treatment facilities which is not a designed or established operating mode for the facility is prohibited except (a) where unavoidable to prevent loss of life, personal injury, or severe property damage or (b) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit and there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities or retention of untreated wastes. "Severe property damage" does not mean economic loss caused by delays in production.

T. **Twenty-Four Hour Non-Compliance Reporting.**

1. The permittee shall report any non-compliance with provisions specified in this permit which may endanger public health or the environment. The permittee shall notify the Department orally within 24 hours of becoming aware of such conditions. During normal working hours call **803/898-4300**. After-hour reporting should be made to the 24-hour Emergency Response telephone number **803/253-6488**. The permittee shall provide the following information to the Department in writing, within five (5) days of becoming aware of such conditions:
  - a. A description of the discharge and cause of non-compliance; and,
  - b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the non-complying discharge.
2. The following violations shall be included in a 24 hour report when they might endanger health or the environment:
  - a. An unanticipated bypass which exceeds any effluent limitation in this permit;
  - b. Any upset which exceeds any effluent limitation in the permit.
3. As soon as the permittee has knowledge of or anticipates the need for a bypass, but not later than 10 days before the date of the bypass, it shall notify the Department and provide a determination of the need for bypass as well as the anticipated quality, quantity, duration, and effect of the bypass.

U. **Removed Substances.** Solids, sludges, filter backwash, or other residuals removed in the course of treatment or control of wastewaters shall be disposed of in a manner so as to prevent such materials from entering State waters and in accordance with guidelines issued pursuant to Section 405 of the CWA, and the terms of a construction or NPDES and/or solid or hazardous waste permit issued by the Department.

V. **Chemical Addition.** Approval from the Department must be obtained prior to chemical addition or other types of treatment to maintain compliance with the NPDES permit. A determination will be made by the Department as to whether the discharge can still be covered

under the permit and to determine if a construction permit is required for any type of treatment system. Wastewater containing chemicals used for reasons other than maintaining compliance with the NPDES permit will be considered process wastewater and will need to be covered under an individual permit or if available, an alternative general permit.

**W. Erosion Prevention.**

1. Appropriate erosion control measures must be in place before discharging hydrostatic test water. Consideration of the Department's "Stormwater Management and Sediment Reduction Reference Materials" shall be given. If the permittee is required to file a Policy and Procedure Manual which includes sediment migration control and erosion control practices to the Public Service Commission, such control practices shall also be adhered to.
2. Where the discharge of hydrostatic test water will occur at an existing outfall permitted for petroleum-tank stormwater, a sound estimate of the normal runoff in the proposed outfall during a 3-inch, 24-hour rainfall shall be obtained. This value shall be compared with the proposed discharge rate. The proposed rate should not exceed normal runoff by more than 50% or further evaluation, and possible erosion control or treatment measures, will be required.

**Part VI. REOPENER CLAUSE.**

- A. If there is evidence indicating potential or realized impacts on water quality due to any hydrostatic water discharge covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or an alternative general permit in accordance with Part V.L (Requiring an Individual Permit or Alternative General Permit) of this permit or the permit may be modified to include different limitations and/or requirements.
- B. Permit modification or revocation of coverage will be conducted according to S.C. Pollution Control Act and S.C. Regulation 61-9.

**Part VII. TERMINATION OF COVERAGE**

- A. **Notice of Termination.** Where the possibility of future discharges from all hydrostatic test water discharge locations that are authorized by this permit are eliminated, the operator of the facility shall submit a Notice of Termination that is signed in accordance with Part V.F (Signatory Requirements) of this permit. The Notice of Termination shall include the following information:
  1. Name, mailing address, phone number, and location of the facility for which the notification is submitted.
  2. The NPDES permit number; and
  5. The following certification signed, titled, and dated in accordance with Part V.F (Signatory Requirements) of this permit:



"I certify under penalty of law that all hydrostatic test water discharges from the identified facility that are authorized by a NPDES general permit have been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge hydrostatic test water under this general permit, and that discharging pollutants in hydrostatic test water to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit."

- B. **Where to Submit.** All Notices of Termination are to be sent to the following address:

SC Dept. of Health and Environmental Control  
Bureau of Water  
NPDES/ND Permit Administration  
2600 Bull Street  
Columbia, SC 29201

#### **Part VIII. SEVERABILITY**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

#### **Part IX. SPECIAL CONDITIONS**

- A. **Prohibition on Non-hydrostatic Water Discharges.** All discharges covered by this permit shall be composed entirely of hydrostatic water, except discharges of material other than hydrostatic water which are in compliance with an NPDES permit (other than this permit) issued for the discharge.
- B. **Releases in Excess of Reportable Quantities.**
1. The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable BMP plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR part 117 and 40 CFR part 302. Where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:
    - a. The discharger is required to notify both the Department's Emergency Response Section at **(803) 253-6488** and the National Response Center (NRC) **(800-424-8802)** in accordance with the requirements of 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;
    - b. The permittee shall submit within 14 calendar days of knowledge of the release

a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with Part IX.B.1.c (below) of this permit to both:

Emergency Response Section  
SC Dept. of Health and Environmental Control  
2600 Bull Street, Columbia, S.C. 29201; and

Environmental Protection Agency, Region 4  
Atlanta Federal Center  
61 Forsythe Street  
Atlanta, Ga. 30303-3104

- c. The BMP plan required under this permit must be modified within 14 calendar days of knowledge of the release to provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.
2. Spills. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

C. **Best Management Practices Plan**. The Best Management Practices Plan (BMP) requirement is applicable to dischargers with ancillary industrial activities who use, store, manufacture, handle or discharge any pollutant listed as toxic under Section 311 of the CWA. These dischargers are subject to the requirements of this part for all activities which may result in significant amounts of those pollutants reaching waters of the State. Where these conditions are satisfied:

1. Permittees, other than those which only test natural gas and LPG pipelines, shall develop and implement a Best Management Practices (BMP) Plan, or update and maintain an existing plan, to identify and control the discharge of significant amounts of oils and the hazardous and toxic substances listed in 40 CFR Part 117 and Tables II and III of Appendix D to 40 CFR Part 122. The plan shall include a listing of all potential sources of spills or leaks of these materials, a method for containment, a description of training, inspection and security procedures, and emergency response measures to be taken in the event of a discharge to surface waters, or it shall include plans and/or procedures which constitute an equivalent BMP. Sources of such discharges may include materials storage areas; transfer and material handling areas; loading and unloading operations; plant site runoff; and sludge and waste disposal areas. The BMP plan shall be developed in accordance with good engineering practices, be documented in narrative form, and include any necessary plot plans, drawings, or maps.

2. Where no previous permit issued for the site has required a BMP plan, a BMP plan shall be developed and implemented prior to initiating the first discharge covered under this permit. Where a plan has been required and put into effect under a previous permit for the facility, appropriate changes to the plan shall be developed and implemented prior to initiating the first discharge covered under this permit.
3. The BMP plan shall be maintained at the site and shall be available for inspection by U.S. EPA and Department personnel.

D. **pH Variance**

If the pH of the receiving stream is less than 6.0 standard units, the discharge pH may be less than 6.0 standard units only if the discharge pH is not less than the stream pH by a difference of more than 0.2 standard units. Example: If the stream pH is 5.5, the discharge pH must be between 5.3 and 8.5. The difference between the stream pH (5.5) and the discharge pH (5.3) is 0.2. This variance will be granted only if the stream pH is analyzed on the day of the discharge, the results satisfy the above conditions, and the results are submitted with the DMR forms in accordance with Section IV.E.

E. **Chlorine Requirements**

This permit requires monitoring and reporting only for Total Residual Chlorine (TRC). This permit may be reopened to include specific TRC limitations based on the data obtained.

**South Carolina Department of Health and Environmental Control  
2600 Bull Street  
Columbia, SC 29201**

**FACT SHEET**

**APPLICATION FOR  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
PERMIT TO DISCHARGE HYDROSTATIC TEST WATER  
TO STATE WATERS**

Application No. SCG670000

Date: February 20, 2001

**1. SYNOPSIS OF APPLICATION**

a. Name and Address of Applicant

This permit authorizes discharge of the following types of wastewater as further specified in this permit:

- I. Hydrostatic test waters from new and used natural gas and new liquified petroleum gas (LPG) pipelines.
- II. Hydrostatic test waters from used LPG pipelines and from new petroleum tanks and pipelines.
- III. Hydrostatic test waters from used petroleum tanks and pipelines.

b. Facility Location

Within the geographic boundaries of the State of South Carolina.

c. Description of Applicant's Operation

Discharging water after hydrostatically testing new or used, natural gas, LPG, or petroleum, tanks or pipelines.

d. Receiving Water Name

A covered discharge may discharge to or flow to any water body within the geographic boundaries of the State of South Carolina, as defined in SC Regulation 61-68, *Water Classification and Standards*.

e. Description of Existing Pollution Abatement Facilities

Covered discharges should be contaminated slightly enough to require no treatment. It is the permittee's responsibility to ensure the limitations are met. If treatment is necessary, the treatment system must be properly permitted by this Department prior to use.

f. Permitting Action

First issuance of a General Permit for hydrostatic test water discharges.

**2. PROPOSED EFFLUENT LIMITATIONS**

See Part X of the General Permit

**3. RATIONALE FOR DETERMINING EFFLUENT LIMITATIONS**

- a. pH: The limits are consistent with S.C. Water Standards due to various water sources\discharge points and possible contamination.
- b. Total Petroleum Hydrocarbons (TPH): The limit provides protection of receiving stream based on Professional Judgment due to residual material in the structures or material coatings or lubricants on new structures.
- c. Total Residual Chlorine (TRC): This parameter will be "monitor and report" based on aquatic life standards and current limits of detection due to the existence of chlorine in potable municipal water systems.
- d. Chromium, Copper, Zinc, Iron, and Lead: These parameters will be "monitor and report" based on Professional Judgment due to data which has been reviewed from discharges of this type. The data has shown low metals concentrations; however, the it is from a limited numbered of discharges, and a small potential for the occurrence of metals remains. Monitoring is being required, but if significant metals concentrations are shown to exist, the permit may be modified to include metals limits. If certain/all metals concentrations are consistently low or non-existent, monitoring of these parameters may be eliminated.
- e. Total Suspended Solids (TSS): This parameter will be "monitor and report" based on Professional Judgment due to solids in the intake water source and/or solids which may have accumulated during the pipe, tank, fitting, etc. installation. Monitoring is being required, but if significant TSS concentrations are shown to exist, the permit may be modified to include a limit. If TSS concentrations are consistently low or non-existent, monitoring of this parameter may be eliminated.
- f. Benzene, Ethylbenzene, Toluene, Xylene, Napthalene, MTBE, and surfactants: These parameters will be "monitor and report" based on water quality concerns for used petroleum tanks and pipelines.

**4. MONITORING REQUIREMENTS**

- a. Measurement Frequency: Measurement frequency is stated in the permit for the different parameters.
- b. Submission of Discharge Monitoring Reports (DMR's): DMR's are to be prepared separately for each outfall of each project greater than 3000 gallons except for used

petroleum tank and pipeline test waters which must report all wastewater volumes. These reports are to be submitted to the Department and postmarked no later than 30 days after project completion.

**5. SCHEDULE FOR MEETING LIMITS**

The permittee is to obtain compliance with the permit limitations and conditions on the effective date of the permit.

**6. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE**

See Part IX. of the permit.

**7. PERMIT DURATION**

Five (5) years from the effective date of the permit.

**8. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS**

**a. Comment Period**

The Department of Health and Environmental Control proposes to issue an NPDES permit to this applicant subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

Interested persons are invited to submit written comments on the permit application or on DHEC's proposed determinations to the following address:

South Carolina Department of Health and Environmental Control  
NPDES Administration  
2600 Bull Street  
Columbia, South Carolina 29201

All comments received during the thirty day notice period will be considered in the formulation of final determinations with regard to this application.

**b. Public Hearing**

The Department of Health and Environmental Control Commissioner may hold a public hearing if there is a significant degree of public interest in a proposed permit or group of permits. Public notice of such a hearing will be circulated in newspapers in the geographical area of the discharge and to those on the DHEC mailing list at least thirty days prior to the hearing.

Following the public hearing, the Commissioner may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue or deny the

permit. Notice of issuance or denial will be circulated to those who participated in the hearing and to appropriate persons on the DHEC mailing list.

If the permit is issued, it will become effective the first of the month following date of issuance and will be the final action of DHEC unless an adjudicatory hearing is granted.

c. Adjudicatory Hearings

Any person may submit a request for an administrative adjudicatory hearing to consider the final permit and its conditions. If you wish to request an administrative adjudicatory hearing, such request must be made in accordance with Regulation 61-79, Volume 25, S.C. Code of Laws, 1976, as amended. As required by this regulation, two (2) copies of the request must be served on the South Carolina Board of Health and Environmental Control, 2600 Bull Street, South Carolina 29201, within fifteen (15) days following issuance of the permit. Service may be effected by personal delivery or by first class mail.

The following elements must, at a minimum, be included within the request:

- I. A title indicating the nature of the proceeding and the parties involved;
- II. The complete name and address of the party filing the pleading and, if applicable, the organization(s) or interests which he represents;
- III. If the requesting party is to be represented by counsel, the name and address of the attorney;
- IV. A clear and concise statement of the requesting party's affected interest;
- V. A clear and concise statement of the issues upon which the request is based and, where applicable, the contested sections of the permit. (It should be noted that any uncontested portions of the permit will become effective according to its terms on the effective date specified in the permit).
- VI. A statement of the relief sought by the requesting party.

In the event that such a request is filed, the contested provisions of the permit will be stayed and will not become effective until the administrative review process is complete. All uncontested provisions of the permit will be considered issued and effective on the effective date set out in the permit and must be complied with by the facility. Final determination of permit conditions following an adjudicatory hearing will be in accordance with Regulation 61-72.

Information pertaining to adjudicatory matters may be obtained by contacting the Legal Office of the Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina or by calling 803/898-3350.

d. Issuance of the Permit when no Hearings are Held

If no public hearing or adjudicatory hearing is held, and, after review of the comments received, DHEC's determinations are substantially unchanged, the permit will issue and become effective the first of the month following date of issue. This will be the final action of the Department of Health and Environmental Control.

If no hearing is held, but there have been substantial changes, public notice of DHEC's revised determination will be made. Following a 15-day comment period, the permit will be issued and become effective the first of the month following termination of the 15-day comment period and will be the final action of Department of Health and Environment Control, unless an adjudicatory hearing is granted.



**Part X. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** (See Part IV).

**A. Hydrostatic test waters from new and used natural gas and new LPG pipelines.**

During the period beginning on the effective date and lasting through the expiration date (See Part VII), the permittee is authorized to discharge hydrostatic test waters from new and used natural gas and new LPG pipelines.

Such discharge shall be limited and monitored<sup>1</sup> by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS</u> <sup>2</sup>	
		Minimum	Maximum	Average <sup>3</sup>	Measurement Frequency	Sample Type
pH <sup>5</sup>	s.u.	6.0	8.5	-	2/Discharge <sup>4</sup>	Grab
TSS	mg/l	-	MR	MR	2/Discharge <sup>4</sup>	Grab
TRC <sup>6</sup>	mg/l	-	MR	MR	2/Discharge <sup>4</sup>	Grab
Flow	mgd	-	MR	MR	2/Discharge <sup>4</sup>	Estimate or Instantaneous

**Note:** MR means monitor and report only.

1. Except as stated in Part II.C.1. (3000 gallons or less).
2. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): At the nearest accessible location after final treatment (if necessary) but prior to discharge.
3. Average limits do not apply when a parameter is monitored only once during a project.
4. Only one measurement per discharge will be required for discharges from pipelines of less than 50,000 gallons and tanks of less than 0.5 MG. See Part IV.A.
5. See Section IX.D.
6. Monitoring of chlorine is not required if chlorine is not present in the test water. Monitoring is required if a potable water source is used in testing. Also, see Part IX.E.

B. **Hydrostatic test waters from used LPG pipelines and from new petroleum tanks and pipelines.**

During the period beginning on the effective date and lasting through the expiration date (See Part VII), the permittee is authorized to discharge hydrostatic test waters from used LPG pipelines and from new petroleum tanks and pipelines.

Such discharge shall be limited and monitored<sup>1</sup> by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS</u> <sup>2</sup>	
		Minimum	Maximum	Average <sup>3</sup>	Measurement Frequency	Sample Type
pH <sup>5</sup>	s.u.	6.0	8.5	-	2/Discharge <sup>4</sup>	Grab
TPH	mg/l	-	15	10	2/Discharge <sup>4</sup>	Grab
TSS	mg/l	-	MR	MR	2/Discharge <sup>4</sup>	Grab
TRC <sup>6</sup>	mg/l	-	MR	MR	2/Discharge <sup>4</sup>	Grab
Flow	mgd	-	MR	MR	2/Discharge <sup>4</sup>	Estimate or Instantaneous

**Note:** MR means monitor and report only.

1. Except as stated in Part II.C.1. (3000 gallons or less).
2. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): At the nearest accessible location after final treatment (if necessary) but prior to discharge.
3. Average limits do not apply when a parameter is monitored only once during a project.
4. Only one measurement per discharge will be required for discharges from pipelines of less than 50,000 gallons and tanks of less than 0.5 MG. See Part IV.A..
5. See Section IX.D.
6. Monitoring of chlorine is not required if chlorine is not present in the test water. Monitoring is required if a potable water source is used in testing. Also, see Part IX.E.

C. **Hydrostatic test waters from used petroleum tanks and pipelines.**

During the period beginning on the effective date and lasting through the expiration date (See Part VII), the permittee is authorized to discharge hydrostatic test waters from used petroleum tanks and pipelines.

Such discharge shall be limited and monitored<sup>1</sup> by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS<sup>2</sup></u>	
		Minimum	Maximum	Average <sup>3</sup>	Measurement Frequency	Sample Type
pH <sup>5</sup>	s.u.	6.0	8.5	-	2/Discharge <sup>4</sup>	Grab
TPH	mg/l	-	15	10	2/Discharge <sup>4</sup>	Grab
TSS	mg/l	-	MR	MR	2/Discharge <sup>4</sup>	Grab
TRC <sup>6</sup>	mg/l	-	MR	MR	2/Discharge <sup>4</sup>	Grab
Chromium(III)	mg/l	-	MR	MR	1/Discharge	Grab
Copper	mg/l	-	MR	MR	1/Discharge	Grab
Zinc	mg/l	-	MR	MR	1/Discharge	Grab
Iron	mg/l	-	MR	MR	1/Discharge	Grab
Lead	mg/l	-	MR	MR	1/Discharge	Grab
Benzene	mg/l	-	MR	-	1/Discharge	Grab
Ethylbenzene	mg/l	-	MR	-	1/Discharge	Grab
Toluene	mg/l	-	MR	-	1/Discharge	Grab
Xylene	mg/l	-	MR	-	1/Discharge	Grab
Napthalene	mg/l	-	MR	-	1/Discharge	Grab
Methyl-tert-butyl-ether (MTBE)	mg/l	-	MR	-	1/Discharge	Grab
Surfactants <sup>7</sup>	mg/l	-	MR	-	1/Discharge	Grab
Flow	mgd	-	MR	MR	2/Discharge <sup>4</sup>	Estimate or Instantaneous

**Note:** MR means monitor and report only.

<sup>1.</sup> Except as stated in Part II.C.1. (3000 gallons or less).

<sup>2.</sup> Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): At the nearest accessible location after final treatment (if necessary) but prior to discharge.

C. **Hydrostatic test waters from used petroleum tanks and pipelines(cont.).**

3. Average limits apply only when a parameter is monitored more than once during a project.
4. Only one measurement per discharge will be required for discharges from pipelines of less than 50,000 gallons and tanks of less than 0.5 MG. See Part IV.A.
5. See Section IX.D.
6. Monitoring of chlorine is not required if chlorine is not present in the test water. Monitoring is required if a potable water source is used in testing. Also, see Part IX.E.
7. Surfactant monitoring will be required only if cleaning agents are introduced or added to the discharge water.